



HONOLULU ETHICS COMMISSION NEWS BULLETIN

# theCOMPASS

Navigating Ethics for the City & County of Honolulu | December 2020



# HAPPY HOLIDAYS!

## Ethics Reminders: Accepting Gifts Part 1

The holiday season is upon us! We can't celebrate like we normally do, but many people will still give and receive gifts. These FAQs will help city personnel stay off Santa's "naughty" list by making ethical gift decisions. While these are the ethics gift laws, your city agency can adopt a stricter standard on accepting gifts.

### **Q1: What is a gift?**

A: Anything that you did not pay full value for. Examples of gifts include food or drinks, gift cards, and vouchers.

### **Q2: When may I accept a gift?**

A: Generally you may not accept any gifts from prohibited sources. Accepting gifts from these sources might lead people to think that the gift influences your decisions or rewards you for doing your city job.

### **Q3: What is a prohibited source?**

A: Anyone doing business with your city agency. This includes people who are obtaining registrations, permits, and applications from your agency.

### **Q4: A frequent customer to our agency wants to buy a chili and rice lunch for our office, can we accept?**

A: No, because the frequent customer is a prohibited source and you may not accept gifts from a prohibited source. Further, this would be considered a gift to the city since it is directed to your office, and not you personally. It must be accepted by City Council.

### **Q5: What should I do if I get a gift?**

A: It depends on the source. The safest thing to do is to politely refuse the gift and explain that city employees generally cannot receive gifts from anyone doing business with their city agency. If you receive a gift and can't return it, forward the gift to your director's office and it will be treated as a gift to the City.

### **Q6: Can I receive gifts from my coworkers?**

A: Yes, but only if someone would believe that the gift was not intended to reward or influence your work.

## Gift Quick Reference Guide

Who is offering the gift?		
No!	Maybe	Yes!
Usually prohibited, regardless of the value of the gift	May be allowed, depending on the circumstances of the gift	Usually allowed, depending on the value of the gift and City purpose
<ul style="list-style-type: none"> <li>The gift giver is a person or business that is a prohibited source</li> <li>Regulated by my agency</li> <li>Applying for a permit with my agency</li> <li>A contractor, consultant, or vendor of my agency</li> <li>Involved in a contested case with my agency</li> <li>A lobbyist</li> </ul>	<ul style="list-style-type: none"> <li>The gift giver is a trade association</li> <li>The gift giver used to do business with my agency, but is not currently doing business with my agency</li> <li>The gift giver may do business with my agency in the future</li> </ul> <p><b>Contact us for advice!</b></p>	<p>The gift giver is:</p> <ul style="list-style-type: none"> <li>A foundation or government agency that wants to support City employees working in my field</li> <li>A family member or long-time friend who doesn't do any business with my agency (usually OK unless you think you were given the gift because of your City position)</li> </ul>



### Still have questions?

Contact the Ethics Commission for specific guidance on city ethics laws:  
 p: 768-9242    w: [honolulu.gov/ethics](http://honolulu.gov/ethics)    e: [ethics@honolulu.gov](mailto:ethics@honolulu.gov)